

1 F. Christopher Austin, Esq.  
Nevada Bar No. 6559  
2 *caustin@weidemiller.com*  
**WEIDE & MILLER, LTD.**  
3 10655 Park Run Drive, Suite 100  
Las Vegas, NV 89144  
4 Tel: (702) 382-4804  
Fax: (702) 382-4805  
5 *Attorneys for Plaintiffs*

6  
7 **UNITED STATES DISTRICT COURT**  
8 **DISTRICT OF NEVADA**

9 TISSUE REGENERATION  
10 TECHNOLOGIES, LLC and GENERAL  
PATENT, LLC,

11 Plaintiffs,

12 v.

13 MALE PERFORMANCE MEDICAL  
14 PARTNERSHIP, LLC; MEDICAL  
15 PARTNERSHIP, LLC; R. BAXTER  
16 TEEGARDEN; LEONARD MESSINA;  
17 RICHARD NEISWONGER a/k/a RICK  
18 CHARLES; LAS VEGAS MALE  
PERFORMANCE CLINIC; and PEAK  
HEALTH GROUP LV LLC,

19 Defendants.

Case No.: 2:18-cv-1914

**STIPULATION AND ORDER FOR  
EXTENSION OF TIME TO ANSWER  
OR OTHERWISE RESPOND TO THE  
COMPLAINT**

**(Sixth Request)**

20 Pursuant to Federal Rule of Civil Procedure 6(b)(1) and Local Rule 1A 6-1, Plaintiffs  
21 Tissue Regeneration Technologies, LLC and General Patent, LLC, (collectively, "Plaintiffs") and  
22 Defendants Male Performance Medical Partnership, LLC, Medical Partnership, LLC, Leonard  
23 Messina, and Las Vegas Male Performance Clinic (collectively, the "Messina Defendants" or  
24 "Defendants"), by and through their respective counsel of record, Weide & Miller, Ltd., on behalf  
25 of Plaintiffs, and the Law Offices of Philip A. Kantor, P.C., appearing on behalf of the Messina  
26 Defendants, hereby agree and stipulate for an extension of time for the Messina Defendants to file  
27 and serve their answer or other responses to the Complaint from the current deadline of April 26,  
28 2019, up to and including June 14, 2019. This is the sixth request by the parties for such an

1 extension.

2 Good cause for this request exists to provide the parties with time to continue in good faith  
3 settlement discussions. On December 19, 2018, former counsel for the Messina Defendants  
4 notified the Court that they had been terminated and moved to withdraw as counsel. *See* ECF No.  
5 17 (Howard & Howard Attorneys PLLC and Jonathan W. Fountain's Motion to Withdraw as  
6 Counsel).

7 On or about January 3, 2019, the undersigned counsel for the Messina Defendants agreed  
8 to be retained on the representations of the undersigned counsel for Plaintiffs that Plaintiffs would  
9 agree to the prior order to permit the newly retained counsel for the Messina Defendants time to  
10 assess the case before having to respond to the Complaint. Subsequent to that extension, the  
11 undersigned counsel for the Messina Defendants commenced discussions with Plaintiffs' counsel  
12 to explore the potential to resolve the matter.

13 On March 7, 2019, the Court granted the parties request to extend the deadline for  
14 Defendants to respond to permit Plaintiffs' counsel to engage in discussions with subject matter  
15 experts on issues related to the patents prior to requiring Defendants to answer or respond. *See*  
16 ECF No. 27. While this was only the first extension since the Messina Defendant's retention for  
17 their current counsel, it was the fourth request from the commencement of the action. The purpose  
18 of that extension was to provide a window for the parties to continue settlement discussions. *Id.*

19 On March 27, 2019, the parties requested an additional extension to afford Plaintiff's  
20 additional time to conclude discussions with subject matter experts and follow-up with counsel  
21 for Defendants. That occurred, but at a date too near the present deadline to permit Defendants  
22 to assess the same or for the parties to otherwise conclude negotiations.

23 Accordingly, the parties have agreed to extend the time for Defendants to answer or  
24 otherwise respond to the complaint to permit Defendants to consult with their counsel on  
25 Plaintiffs' proposal and to thereafter continue to engage in efforts to assess whether a resolution  
26 of the dispute can be achieved.

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1 For the foregoing reasons, the parties hereby stipulate to extend the deadline for the  
2 Messina Defendants to answer or otherwise respond to the Complaint from April 26, 2019, to  
3 June 14, 2019. Service of this Stipulation is also being made on the Messina Defendants' counsel  
4 of record, Howard & Howard, PLLC.

5 DATED: April 24, 2019.

6 **IT IS SO AGREED AND STIPULATED:**

7 **WEIDE & MILLER, LTD.**

**LAW OFFICES OF PHILIP A. KANTOR, P.C.**

8 By: /s/ F. Christopher Austin  
9 F. Christopher Austin, Esq.  
10 Nevada Bar No. 6559  
11 *caustin@weidemiller.com*  
12 10655 Park Run Drive, Suite 100  
13 Las Vegas, NV 89144  
14 (702) 382-4804  
15 *Attorneys for Plaintiffs*

By: /s/ Philip A. Kantor  
Philip A. Kantor, Esq.  
Nevada Bar No. 6701  
*prsak@aya.yale.edu*  
1781 Village Center Circle, Suite 120  
Las Vegas, NV 89134  
(702) 255-1300  
*Attorneys for Messina Defendants*

16 **IT IS SO ORDERED:**

17   
18 UNITED STATES MAGISTRATE JUDGE

19 DATED: April 25, 2019